

FILED
OCT 08 2021
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: SEIZURE OF \$86,526.00 U.S.
CURRENCY

Case No. 3:21 MC 75

MOVANT/PARTY IN INTEREST:
SAMER ALI MOUSSA

Judge JUDGE HELMICK

MOTION FOR RETURN OF
PROPERTY

Now comes Party in Interest, Samer Ali Moussa, by and through counsel, and respectfully moves, pursuant to Federal Rule of Criminal Procedure 41(g) and 18 U.S.C. (a)(3)(B), for the prompt return of \$86,526.00 in U.S. currency seized on or about February 12, 2021 for the following reasons:

1. Said currency was seized in the Northern District of Ohio by the Ohio State Highway Patrol.
2. The Highway Patrol turned the seized currency over to the United States Drug Enforcement Administration (DEA).
3. The DEA "adopted" the seizure, and commenced a Civil Administrative Forfeiture Proceeding.
4. Party in Interest, Samer Ali Moussa, filed a timely Claim of Ownership with the DEA.

5. On June 4, 2021, the DEA confirmed receipt of said Claim of Ownership and referred the matter to the Office of the United States Attorney for the Northern District of Ohio (See, letter from DEA Asset Forfeiture Section appended hereto as Exhibit 1).

6. More than ninety (90) days have elapsed and the government has not filed a Complaint for Judicial Forfeiture of the currency nor returned said currency to its owner, Party in Interest, herein.

7. Under such circumstances 18 U.S.C. (A)(3)(B) mandates that the currency be promptly returned to Party in Interest, Samer Ali Moussa.

8. This Motion is supported by a Memorandum filed herewith.

WHEREFORE, the \$86,526.00 in U.S. currency which is the subject of this Motion must be promptly returned to its rightful owner, Party in Interest, Samer Ali Moussa as required by 18 U.S.C. 983(a)(3)(B).

Respectfully submitted,

/s/: John F. Potts

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CERTIFICATION

This is to certify that a copy of the foregoing was hand delivered this 8th day of October, 2021 to the U.S. Attorney's Office, Four Seagate, Third Floor, Toledo, OH 43604.

/s/:John F. Potts

John F. Potts (0033846)